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ATTORNEY DOCKET NO. 14114.0349U2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Fields *et al.*) Art Unit: 1648
Application No. 09/758,308) Examiner: Bao Q. Li
Filing Date: January 10, 2001) Confirmation No. 9952
For: "ANTIGENIC EPITOPES AND MOSAIC)
POLYPEPTIDES OF HEPATITIS C)
VIRUS PROTEINS")

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

December 30, 2004

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 30, 2004 finally rejecting claims 3, 9, 10, 17, 24, 25 and 40-42 of the above-identified patent application.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection:
(a) was obtained for _____ month(s).

- (b) is requested herewith under 37 C.F.R. § 1.136.

2. Payment in the amount of \$1,520.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:

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**ATTORNEY DOCKET NO. 14114.0349U2
APPLICATION NO. 09/758,308**

- Appeal fee amount pursuant to 37 C.F.R. §41.20(b)(1) = \$500.00/LE or \$250.00/SE.
- Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(3) = \$1,020.00 for a three month extension of time.

(a) enclosed.

This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

Gwendolyn D. Spratt
Gwendolyn D. Spratt
Registration No. 36,016

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Gwendolyn D. Spratt
Gwendolyn D. Spratt

12-30-04
Date